

Overview and Scrutiny Committee

Held at:	Council Chamber - Civic Centre, Folkestone
Date	Tuesday, 13 November 2018
Present	Councillors Miss Susan Carey, Peter Gane (Chairman), Clive Goddard, Ms Janet Holben, Mrs Mary Lawes, Michael Lyons, Ian Meyers, Russell Tillson and Mrs Rodica Wheeler
Apologies for Absence	Councillor Mrs Claire Jeffrey
Officers Present:	Kate Clark (Committee Services Officer), Mrs Jess Harman (Community Projects Manager), Jyotsna Leney (Community Services Manager), Chris Lewis (Planning Advisor), Sue Lewis (Committee Services Officer), Tim Madden (Corporate Director - Customer, Support and Specialist Services), Susan Priest (Head of Paid Service), Matt Rain (Communications Manager), Sarah Robson (Assistant Director), Charlotte Spendley (Assistant Director), Adrian Tofts (Planning Policy Manager) and David Whittington (Planning Policy Team Leader)
Others Present:	

134. **Appointment of Vice-Chairman for the remainder of 2018/19**

Proposed by Councillor Michael Lyons
Seconded by Councillor Russell Tillson and

RESOLVED:

To appoint Councillor Ms Janet Holben as Vice-Chairman of this Committee for the remainder of 2018/19.

135. **Declarations of Interest**

There were no declarations of interest.

136. **Minutes**

The minutes of the meeting held on 16 October 2018 were submitted, approved and signed by the Chairman.

137. **Core Strategy Review - report on Regulation 18 Consultation and draft Regulation 19 plan**

This report provided more detail on the consultation on the Core Strategy Review (Regulation 18) document, the changing national planning policy context and further evidence work being undertaken. The report set out the draft Core Strategy Review (Regulation 19) document and outlined the main changes from the previous version. Cabinet is asked to agree the Core Strategy Review (Regulation 19) plan prior to consultation and submission.

Mr Adrian Tofts, Planning Policy Manager, briefly explained the consultation and submission to the Planning Inspectorate process.

Members highlighted the following points:

- When looking at Otterpool Park there is a need for the Local Authority to demonstrate plans will come forward and consideration given to all matters. An example of the viability of a new Kent based town is Kings Hill in Maidstone.
- Affordability for local residents in the new build process of homes. Reference was made to 7.4 of the report which states that house prices are 9.7 times high than the average wage in the district. Members were concerned about earnings in the district and how they differ across the wards, however affordability can be addressed by Local Authority and Housing Association properties being provided in the district.
- Reference was made to the Heritage Strategy which is detailed in the Places and Policy plan and the Play Strategy which is still under review.
- Water supply and the shortages in the South East were mentioned. High water efficiency standards are specified in plan policies and it is imperative that water companies ensure supplies are not in jeopardy. The local authority has been in discussions with water companies in preparing the plan.
- Employment and health care issues were raised; there is an existing development strategy to engage with businesses to encourage growth. Also, enhanced provision of healthcare as part of the garden town potentially releases capacity at other facilities that can be used to improve healthcare services.

- The Rural and Tourism Policy (Policy CSD3) which remains unchanged since 2013 and the text regarding New Romney and the Marsh is also largely unchanged from the 2013 Core Strategy. More detailed policies on tourism development are provided in the emerging Places and Policies Local Plan.

Proposed by Councillor Michael Lyons
Seconded by Councillor Ms Susan Carey and

RESOLVED:

- 1. To receive and note report C/18/49.**

(Voting: For 8; Against 0; Abstentions 1)

138. Fees & Charges 2019/20

This report focused on the proposed fees and charges for 2019/20 which will contribute towards meeting the council's 2019/20 budget objectives and Medium Term Financial Strategy.

The Council's Fees and Charges Policy was revised and agreed by Cabinet on 15 November 2017 (Report C/17/54).

Mrs Charlotte Spendley, Assistant Director, presented this report to the Committee.

Members raised the following points:

- Fixed Penalties and the issue of no right to appeal. This subject comes under policy setting rather than Fees and Charges.
- Within the contractual arrangements, what is the refund process for operator error? This is looked at on an individual basis and any queries can be passed to the Corporate Contracts Manager.
- Pre-planning charges are proposed to increase however remain lower than many other district or borough councils.
- All other fees and charges raised by members are covered in Appendices 2 to 5 of the report.

Proposed by Councillor Clive Goddard
Seconded by Councillor Michael Lyons and

RESOLVED:

- 1. To receive and note report C/18/48**

(Voting: For 8; Against 0; Abstentions 1)

139. **Budget Strategy 2019/20**

This Budget Strategy set out the guidelines for preparing the 2019/20 Budget. It supports the Corporate Plan and aligns with the direction and objectives of the Medium Term Financial Strategy (MTFS).

The Budget Strategy takes account of current and future financial issues, sets out the underlying assumptions and initial budget-setting proposals and provides a timetable for delivering a balanced budget in 2019/20.

Mrs Spendley explained that the draft budgets, including the HRA budget, will be presented to this committee in December 2018.

It was noted that Court costs have increased, however there is a proposal to reduce this level for Council Tax and Business Rates collection costs. Council Tax Reduction and Universal Credit have had an impact on residents although collection rates are steady.

Business Rates Retention pilot for Kent has been well received by the MHCLG (Ministry of Housing, Communities and Local Government) and the district's bid for the 2019/20 pilot is hopefully successful.

Proposed by Councillor Michael Lyons
Seconded by Councillor Rodica Wheeler and

RESOLVED:

- 1. To receive and note report C/18/47.**

(Voting: For 9; Against 0; Abstentions 0)

140. **Communications and Engagement Strategy 2018-23**

The draft Communications and Engagement Strategy 2018-23 outlined how the Council will use communications to build a stronger reputation, involve and inform residents, engage effectively with stakeholders and improve customer satisfaction.

Mr Matt Rain, Communications Manager, drew members' attention to the Objectives and Principles in the report as well as the Strategic Communications Objectives.

Proposed by Councillor Clive Goddard
Seconded by Councillor Ian Meyers and

RESOLVED:

- 1. To receive and note report C/18/41.**

(Voting: For 9; Against 0; Abstentions 0)

141. Public Space Protection Order (PSPO) Consultation

The current public space protection order (PSPO) declared by the Council is due for replacement on 19 June 2019. Members have previously been informed of the process and work underway to create bespoke PSPOs that will help to tackle more specific issues of antisocial behaviour affecting parts of the District. The process as required by the Antisocial Behaviour Act 2014 requires us to carry out consultation and this report introduces the consultation document and feedback survey that will be sent to stakeholders and residents and the format that will take.

Mrs Jess Harman, Community Projects Manager, presented the report.

Points raised by members included:

- Stress further the point that the PSPO is aimed at tackling antisocial behaviour (associated with specific activities) that are having a detrimental effect on local communities.
- Looking at the Area Key, it was noted Lydd is not included and should show under measures 1, 2, 3 and 7.
- The feedback survey form will be available online as well as a hard copy version which can be dropped back off at a range of collection points across the District.
- Signage relaying all measures needs to be clear and concise as well as legally precise.
- Measure 3 – no urinating, spitting or defecating in a public place. The question was asked about enforcement of this measure. It was pointed out that for some nationalities, spitting is acceptable. Ultimately all these measures are to reduce anti-social behaviour.
- Measure 5 contains a typographical error in the first sentence which will be amended.
- Measure 7 – no unauthorised Camping in open spaces. This was welcomed by members. The types of vehicles under this measure needs further definition. Members stressed the importance of enforcement action, however it must not be seen as a target for homelessness.
- Hythe town council needs to be added to the list on p14 of the consultation document.

Proposed by Councillor Russell Tillson
Seconded by Councillor Ian Meyers and

RESOLVED:

- a) To note report C/18/45.**

(Voting: For 9; Against 0; Abstentions 0)

142. **Origin and Destination of S106 monies**

Report OS/18/03 responded to the request from New Romney Town Council for a topic review on the “origin and destination of section 106 monies” and “lack of transparency on the same”. The legislative and policy requirements of section 106 contributions and their close relationship with the Community Infrastructure Levy (CIL) are set out. The report concludes that the council has sound governance procedures in place to ensure that section 106 contributions are collected and spent in accordance with best practice and legislative requirements.

Mr Chris Lewis, Planning Advisor, reiterated that S106 agreements are in place if a site is exempt from a Community Infrastructure Levy (CIL) as is the case with the New Romney masterplan sites. There are other restrictions as detailed in the report.

The designation of these funds is carried out by the District, however the Town Council is keen to decide where these monies are spent.

It was made clear that all town and parish councils have access to proposed planning developments including those to be presented at the District’s monthly Planning and Licensing Committee. Town councils also have regular planning meetings to discuss pending applications. Representations can be made by town councils suggesting that a proposed development includes new infrastructure or section 106 infrastructure contributions in those areas that are exempt from the Community Infrastructure Levy (CIL).

Annual reporting through Cabinet and the Planning and Licensing Committee is also carried out.

Proposed by Councillor Clive Goddard
Seconded by Councillor Russell Tillson and

RESOLVED:

- 1. To receive and note report OS/18/03.**
- 2. To confirm that the annual reporting arrangements to Cabinet and Planning and Licensing Committee that are already in place for monitoring section 106 payments and CIL receipts are appropriate.**
- 3. To request that the Audit Partnership provide a timetable for an updated review of Section 106 agreements that includes the points raised by New Romney Town Council.**

(Voting: For 9; Against 0; Abstentions 0)